

Art Unit: 3739

- u. On Page 17, line 10: delete "Despite the cooling system, no reverse thermal gradient is achieved."
- v. On Page 19, lines 18-20: change "Performance of **102, 104, 105, 108, 110** and **112** produce **114** a reverse thermal gradient so that surface **6** of biological tissue **4** is maintained at a lower temperature than predetermined energy dissipation zone **5**, thereby obviating the need for a cooling device." to -- Performance of **102, 104, 105, 108, 110** and **112** heats biological tissue beneath the tissue surface **6** of biological tissue **4** so that the biological tissue surface **6** is maintained at a lower temperature than predetermined energy dissipation zone **5** without requiring a cooling device.--
- w. On Page 20, lines 19-20: delete "Applicator **3** serves also to cool tissue surface **6**, thereby obviating the need for a separate cooling system."
- x. On page 21, lines 12-15: delete "It is an advantage of the present invention that epidermal layer **6** is heated much less than subcutaneous tissue **4**. An inverse thermal gradient that is provided by intensive cooling of epidermis that described by Thermage patents is achieved automatically with deep heating of tissues."
- y. On Page 21, lines 7-8: delete "Thus, collagen capsules will be destroyed by heating because their high thermo isolation."
- z. On Page 21, lines 10-11: delete "will leads to the most efficient collagen capsule destruction"

3. The following are amendments to the claims with respect to the Preliminary Amendment filed April 30, 2007:

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- aa. Claim 1, lines 28-30²⁹: change "beneath said surface" to -- beneath said surface so that the surface of said biological tissue is maintained at a lower temperature than said predetermined energy dissipation zone without a cooling device--.

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- bb. Claim 20, lines 24-26²⁶: change "beneath said surface" to -- beneath said surface so that the surface of said biological tissue is maintained at a lower

temperature than said predetermined energy dissipation zone without a cooling device--.

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cc. Claim 40, lines ~~26-28~~²⁸: change "beneath said surface" to -- beneath said surface so that the surface of said biological tissue is maintained at a lower temperature than said predetermined energy dissipation zone without a cooling device--.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: The closest prior art of record does not teach or fairly disclose a thermal treatment system that uses an RF energy source, a phase shifter, an impedance matching network, an RF resonator in which the system heats the biological tissue beneath the surface while the surface of the tissue is maintained at a lower temperature than the heated tissue beneath the surface **without** the benefit of a cooling device. All of the closest prior art utilizes an external cooling means such as a cooling fluid or thermoelectric cooling unites to reduce the temperature at the surface of the biological tissue being treated.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAITLYN E. HELLING whose telephone number is (571)270-5845. The examiner can normally be reached on Monday - Friday 7:30 a.m. to 5:00 p.m. EDT.